

Chemical Facility Security Bill Passes Committee with Melancon Changes

October 21, 2009

WASHINGTON- U.S. Congressman Charlie Melancon (LA-03) today voted in support of legislation that will increase security at chemical facility sites across the country, further protecting them and the surrounding communities from potential terrorist attacks. As a member of the committee drafting the legislation, Rep. Melancon also worked to shape the bill in a way that would strike a balance between protecting communities from attacks and avoiding unintended consequences that could impact workers in south Louisiana. The Chemical Facility Anti-Terrorism Act of 2009 ([H.R. 2868](#)) passed the House Energy and Commerce Committee today with the changes Rep. Melancon advocated. Ch

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In his opening statement in the committee mark-up today, Rep. Melancon said:

"Louisiana is particularly affected by the proposals in this legislation. The many petro-chemical, refining, and water utility sites around the state employ thousands of hard working men and women, often times multiple generations in the same plant."

"When negotiations first began on this bill, I had some concerns regarding the balance between protecting those vulnerable communities that surround chemical facilities and protecting the jobs at those same facilities. In these difficult economic times we must be especially vigilant in ensuring that our policies do not push more jobs and companies offshore."

"That being said, I am proud to support the most recent version of this legislation. In the true fashion of compromise and civil discussion, this bill now reflects many smart changes that protect communities and jobs."

Rep. Melancon successfully worked to amend the bill to pinpoint its focus on the facilities at the highest risk, to ensure the Department of Homeland Security's resources were targeted most effectively. He also convinced his colleagues on the committee to create a stronger appeals process for companies, allowing for a fairer implementation of the security mandates in the bill. Both provisions will moderate the bill so that it would not pose an undue financial burden for facilities in Louisiana, which could lead to job losses.

In addition, Rep. Melancon worked to change the "citizens' enforcement" section in the bill to allow civilians to report security concerns at facilities in their communities, allowing the residents that live around these plants to serve as a kind of "neighborhood watch." These changes also eliminated some concerns about excessive or frivolous lawsuits that had been posed in earlier drafts of the bill.

The Chemical Facility Anti-Terrorism Act of 2009 will now be voted on by the full House of Representatives.

Below is Rep. Melancon's opening statement at the committee mark-up today.

Thank you, Mr. Chairman.

I appreciate the time to speak this morning, and I appreciate the committee's diligence in working on these important issues.

As I stated last week, Louisiana is particularly affected by the proposals in this legislation.[] The many petro-chemical, refining, and water utility sites around the state employ thousands of hard working men and women, often times multiple generations in the same plant.[]

When negotiations first began on this bill, I had some concerns regarding the balance between protecting those vulnerable communities that surround chemical facilities and protecting the jobs at those same facilities.[] In these difficult economic times we must be especially vigilant in ensuring that our policies do not push more jobs and companies offshore.

That being said, I am proud to support the most recent version of this legislation.[] In the true fashion of compromise and civil discussion, this bill now reflects many smart changes that protect communities and jobs.

Changes to the provision on Inherently Safer Technology have brought a more focused approach to ensuring that the most risk-prone facilities assess, and in appropriate cases implement, technology changes that will improve the safety of the employees and the surrounding community.[] These changes will also provide guidance and assistance to those facilities that must assess their risk and technology alternatives - providing a bridge to more secure operations in the facility.

Other changes to the "citizens' enforcement" section in the bill allow civilians to report security concerns at facilities they drive past every day.[] The residents that live around these facilities will help each other and the companies that have operations covered by this bill just like we do in our own communities - like a neighborhood watch.[] The "citizen enforcement" section also eliminated some concerns about excessive or frivolous lawsuits that had been posed in earlier drafts of the bill.[] Committee staff has done a commendable job of addressing the concerns brought to them over the last several months and focusing this bill on the security improvements that really do need to be made.

Lastly, today I hope to work with my colleagues to address several more improvements that

can be made that would help the agriculture industry adapt to the safety measures in this bill. Maintaining a vibrant and robust domestic agriculture sector is just as much a national security concern as management of chemical release risks.

I would like to again thank the chairman and his staff for their willingness to work with me on this important bill, and I would like to thank all the others that took the time to bring constructive ideas and contributions to the discussion.

Thank you.

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